

**SUPREME COURT MINUTES  
THURSDAY, FEBRUARY 5, 2004  
SAN FRANCISCO, CALIFORNIA**

**S106906**E029490 Fourth Appellate District,  
Division Two

PEOPLE v. PENA

Opinion filed: Judgment reversed

and the matter is remanded to that court with directions to calendar the matter for oral argument and reconsider the cause in light of such argument.

Majority Opinion by George, CJ.,  
--- joined by Kennard, Baxter, Werdegarr, Chin,  
Brown and Moreno, JJ.

**S122389**

COOPER (KEVIN) ON H.C.

Petition for writ of habeas corpus &amp; stay denied (AA)

The petition for writ of habeas corpus and emergency request for stay of execution, filed on February 2, 2004, is denied. Claims 2, 3, and 4 are denied as untimely (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750) and successive (*In re Robbins*, *supra*, 18 Cal.4th at p. 788, fn. 9; *In re Clark*, *supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547.) All claims are also denied on the merits. As with the previous five petitions for writ of habeas corpus that petitioner has filed in this court challenging the judgment, this petition casts no doubt on petitioner's guilt or the validity of the judgment.

Brown, J., would deny solely on the merits.

**S036864**

PEOPLE v. GUERRA (JOSE F.)

Extension of time granted

to March 4, 2004 to file respondent's brief. Extension is granted based upon Deputy Attorney General Alene M. Games's representation that she anticipates filing that brief by 3/4/2004. After that date, no further extension will be granted.

**S050082**

PEOPLE v. GEIER (CHRISTOPHER A.)  
Extension of time granted

to April 6, 2004 to file appellant's opening brief. After that date, only three further extensions totaling about 180 additional days will be granted. Extension is granted based upon Assistant State Public Defender Barry P. Helft's representation that he anticipates filing that brief by 8/31/2004.

**S052288**

PEOPLE v. HAMILTON (BERNARD)  
Extension of time granted

to April 13, 2004 to file appellant's opening brief. After that date, only one further extension totaling 30 additional days will be granted. Extension is granted based upon Deputy State Public Defender Arnold A. Erickson's representation that he anticipates filing that brief by 5/13/2004.

**S056391**

PEOPLE v. WILLIAMS (BOB)  
Extension of time granted

to April 2, 2004 to file respondent's brief. After that date, only one further extension totaling 60 additional days is contemplated. Extension is granted based upon Deputy Attorney General Craig S. Meyers's representation that he anticipates filing that brief by 6/2/2004.

**S069959**

PEOPLE v. LEWIS (MICHAEL B.)  
Extension of time granted

to March 26, 2004 to file appellant's opening brief. The court anticipates that after that date, only one further extension totaling 60 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S119420**ERVIN (CURTIS L.) ON H.C.  
Extension of time granted

to March 3, 2004 to file the informal response to the petition for writ of habeas corpus. After that date, only two further extensions totaling 45 additional days will be granted. Extension is granted based upon Deputy Attorney General Allan Yannow's representation that he anticipates filing that document by 4/17/2004.

**S120253**BROWN (JOHN GEORGE) ON H.C.  
Extension of time granted

to March 5, 2004 the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 30 additional days is contemplated. Extension is granted based upon Supervising Deputy Attorney General Robert M. Foster's representation that he anticipates filing that document by 3/31/2004.

**S121004**DANKS (JOSEPH MARTIN) ON H.C.  
Extension of time granted

to March 10, 2004 to file the informal response to the petition for writ of habeas corpus. After that date, only three further extensions totaling about 90 additional days will be granted. Extension is granted based upon Deputy Attorney General Lloyd G. Carter's representation that he anticipates filing that document by 6/2/2004.

**S004687**PEOPLE v. COOPER (KEVIN)  
Order filed

The court will be holding oral argument at its courtroom in the Stanley Mosk Library and Courts Building in Sacramento, California, on February 9, 10 and 11, 2004. Accordingly, in the event that any party chooses to submit to the

court any pleading or other document in this matter, on either February 9 or 10, 2004, the court orders that the party submit the original and the ordinarily required number of pleadings or documents at the Office of the Clerk of the Supreme Court, 350 McAllister Street, San Francisco, California, and concurrently submit seven additional copies at the Office of the Clerk, Court of Appeal, Third Appellate District, 900 N Street, Room 400, Sacramento, California.